

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

James E. Skiff
Debtor(s)

Bankruptcy Case No.: 19-20470-GLT
Issued Per 8/29/2019 Proceeding
Chapter: 13
Docket No.: 38 - 20
Concil. Conf.: August 29, 2019 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 8, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$431.00 as of September, 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 29, 2019 at 10:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 14 of PWSA .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: August 29, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 James E. Skiff
 Debtor

Case No. 19-20470-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 3
 Total Noticed: 49

Date Rcvd: Aug 29, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 31, 2019.

db
 cr
 +James E. Skiff, 935 Berkshire Avenue, Pittsburgh, PA 15226-2139
 +Pittsburgh Water & Sewer Authority, Goehring, Rutter, and Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES OF AMERICA 15219-6101
 14989335 +Amex, P.O. Box 981537, El Paso, TX 79998-1537
 14989336 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, Po Box 982238, El Paso, TX 79998)
 14989337 +Bankamerica, 4909 Savarese Circle, Tampa, FL 33634-2413
 15007338 +Butler Stone Craft, 772 N Pike Rd, Cabot, PA 16023-2224
 15089246 +COMMUNITY BANK, 2111 N. FRANKLIN DRIVE-DEPT. 204, SUITE 200, WASHINGTON, PA 15301-5893
 14989339 +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
 15034952 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 15042662 +Donley Brick Co., c/o Amato and Keating, P.C., 107 North Commerce Way,
 Bethlehem PA 18017-8913
 14989344 +++F N B CONS DISC CO, 4313 WALNUT ST STE 144, MCKEESPORT PA 15132-6129
 (address filed with court: F N B Cons Disc Co, 4313 Walnut St Ste 29, Mckeesport, PA 15132)
 14989345 +Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
 14989346 +Fifth Third Bank, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
 14989347 Freedom Cu, Arsenal Bus Center, Philadelphia, PA 19137
 14989350 +Macys/dsnb, Po Box 8218, Mason, OH 45040-8218
 14989351 +Mariner Finance, LLC, 8211 Town Center Dr., Nottingham, MD 21236-5904
 14989352 +Marin Finc, 8211 Town Center Dr, Nottingham, MD 21236-5904
 14989353 +Nationstar/mr Cooper, 350 Highland, Houston, TX 77009-6623
 14989354 +Nissan-infiniti Lt, Pob 660366, Dallas, TX 75266-0366
 15001982 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 15039901 +Pittsburgh Water and Sewer Authority, Goehring, Rutter & Boehm,
 c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219-6101
 14989356 +Sallie Mae Bank Inc, Po Box 3229, Wilmington, DE 19804-0229
 15007358 +Silhol Builders, 100 Union St, Bridgeville, PA 15017-2495
 14989357 Sterling Crd, 716 Bethlehem Pike, Ambler, PA 19002
 14989360 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
 15007363 +Tmobile, 3625 132nd Ave SE, Bellevue, WA 98006-1325
 15040443 UNITED STATES DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973,
 MADISON WI 53708-8973
 14989362 +Us Dept Of Ed/glelsi, 2401 International Lane, Madison, WI 53704-3121
 14989361 +Us Dept Of Ed/glelsi, Po Box 7860, Madison, WI 53707-7860

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15007334 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 30 2019 03:05:00 American Info Source Lp,
 Post Office Box 248848, Oklahoma City, OK 73124-8848
 14989338 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 30 2019 02:46:46
 Capital One Bank Usa N, 15000 Capital One Dr, Richmond, VA 23238
 14989340 E-mail/Text: svlainich@communitybank.tv Aug 30 2019 02:49:28 Community Bank,
 100 N Market St, Carmichaels, PA 15320
 14989341 +E-mail/PDF: creditonebknofications@resurgent.com Aug 30 2019 02:46:52 Credit One Bank Na,
 Po Box 98872, Las Vegas, NV 89193-8872
 14992609 E-mail/Text: mrdiscen@discover.com Aug 30 2019 02:48:51 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14989342 +E-mail/Text: mrdiscen@discover.com Aug 30 2019 02:48:51 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316
 14989343 +E-mail/Text: bankruptcynotices@dcicollect.com Aug 30 2019 02:49:41 Diversified Consultant,
 10550 Deerwood Park Blvd, Jacksonville, FL 32256-0596
 15031808 +E-mail/Text: kborkley@bernsteinlaw.com Aug 30 2019 02:49:48 Duquesne Light Company,
 c/o Bernstein-Borkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14989348 +E-mail/Text: bankruptcy@huntington.com Aug 30 2019 02:49:19 Huntington National Ba,
 Po Box 1558, Columbus, OH 43216-1558
 14989349 E-mail/Text: ktramble@lendmarkfinancial.com Aug 30 2019 02:48:17 Lendmark Financial Ser,
 2118 Usher St., Covington, GA 30014
 14996817 E-mail/PDF: cbp@onemainfinancial.com Aug 30 2019 02:45:39 ONEMAIN, P.O. BOX 3251,
 EVANSVILLE, IN 47731-3251
 14989355 +E-mail/PDF: cbp@onemainfinancial.com Aug 30 2019 02:46:44 Onemain, Po Box 1010,
 Evansville, IN 47706-1010
 15005630 +E-mail/Text: bankruptcyteam@quickenloans.com Aug 30 2019 02:49:37 Quicken Loans Inc.,
 635 Woodward Avenue, Detroit, MI 48226-3408
 15033929 E-mail/Text: ebn_bkrt_forms@salliemae.com Aug 30 2019 02:49:42 Sallie Mae, P.O. Box 3319,
 Wilmington, DE 19804-4319
 14989358 +E-mail/PDF: gecsedirecoverycorp.com Aug 30 2019 02:45:41 Synch/care Credit,
 C/o Po Box 965036, Orlando, FL 32896-0001
 14989359 +E-mail/PDF: gecsedirecoverycorp.com Aug 30 2019 02:45:40 Synch/sams Club, Po Box 965005,
 Orlando, FL 32896-5005

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 3
Total Noticed: 49

Date Rcvd: Aug 29, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14997757 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 30 2019 03:05:00 T Mobile/T-Mobile USA Inc,
by American InfoSource as agent, PO Box 248848, Oklahoma City, OK 73124-8848
15034350 +E-mail/Text: bncmail@w-legal.com Aug 30 2019 02:49:30 TD Bank USA, N.A.,
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
14992696 +E-mail/Text: bankruptcy@huntington.com Aug 30 2019 02:49:19 The Huntington National Bank,
3 Cascade Plaza CAS056, Akron, OH 44308-1124
15028364 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 30 2019 03:05:32 Verizon,
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 20

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Quicken Loans Inc.
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828
15007335* +Amex, P.O. Box 981537, El Paso, TX 79998-1537
15007336* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)
15007337* +Bankamerica, 4909 Savarese Circle, Tampa, FL 33634-2413
15007339* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,
Richmond, VA 23238)
15007341* ++COMMUNITY BANK, 90 W CHESTNUT ST, SUITE 100, WASHINGTON PA 15301-4524
(address filed with court: Community Bank, 100 N Market St, Carmichaels, PA 15320)
15007340* +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
15007342* +Credit One Bank Na, Po Box 98872, Las Vegas, NV 89193-8872
15007343* +Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
15007344* +Diversified Consultant, 10550 Deerwood Park Blvd, Jacksonville, FL 32256-0596
15007345* +++F N B CONS DISC CO, 4313 WALNUT ST STE 144, MCKEESPORT PA 15132-6129
(address filed with court: F N B Cons Disc Co, 4313 Walnut St Ste 29, Mckeesport, PA 15132)
15007346* +Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
15007347* +Fifth Third Bank, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
15007348* +Freedom Cu, Arsenal Bus Center, Philadelphia, PA 19137
15007349* +Huntington National Ba, Po Box 1558, Columbus, OH 43216-1558
15007350* ++LENDMARK FINANCIAL SERVICES, 2118 USHER ST, COVINGTON GA 30014-2434
(address filed with court: Lendmark Financial Ser, 2118 Usher St., Covington, GA 30014)
15007351* +Macys/dsnb, Po Box 8218, Mason, OH 45040-8218
15007352* +Mariner Finance, 8211 Town Center Dr, Nottingham, MD 21236-5904
15007353* +Nationstar/mr Cooper, 350 Highland, Houston, TX 77009-6623
15007354* +Nissan-infiniti Lt, Pob 660366, Dallas, TX 75266-0366
15007355* +Onemain, Po Box 1010, Evansville, IN 47706-1010
15007356* +Quicken Loans, 635 Woodward Avenue, Detroit, MI 48226-3408
15007357* +Sallie Mae Bank Inc, Po Box 3229, Wilmington, DE 19804-0229
15007359* +Sterling Crd, 716 Bethlehem Pike, Ambler, PA 19002
15007360* +Synch/care Credit, C/o Po Box 965036, Orlando, FL 32896-0001
15007361* +Synch/sams Club, Po Box 965005, Orlando, FL 32896-5005
15007362* +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
15007365* +Us Dept Of Ed/glelsi, 2401 International Lane, Madison, WI 53704-3121
15007364* +Us Dept Of Ed/glelsi, Po Box 7860, Madison, WI 53707-7860

TOTALS: 1, * 30, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 31, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas
Form ID: 149

Page 3 of 3
Total Noticed: 49

Date Rcvd: Aug 29, 2019

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 29, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,
cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor James E. Skiff ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 7